

REMARKS

The present amendment is submitted along with an Information Disclosure Statement and a Request for Continued Examination (RCE). Favorable consideration of this matter is respectfully requested.

In the final Office Action, claims 13-14 are rejected under 35 U.S.C. § 102 based on the Bell reference. These claims are cancelled herein.

In the Office Action, claims 1-2, 4-7, and 9-11 are rejected under 35 U.S.C. § 103(a) as being obvious over the combination of Bell and Gephardt. This rejection is respectfully traversed.

The rejection is based in part on US 6,704,443 of Bell, which at all pertinent times has been owned by Cisco Technology Inc. which is also the owner of the subject matter of the present application.

Statement of Common Ownership

The present application (US 10/618,211) and US Patent 6,701,443 were, at the time the invention of the present application was made, owned by Cisco Technology Inc.

In accordance with 35 U.S.C. § 103(c) and MPEP § 706.03(l)(2), the Bell patent cannot be used to establish obviousness under 35 U.S.C. § 103 against the present application. On this basis, the rejection of the claims under 35 U.S.C. § 103 based on the Bell reference should be withdrawn.

Conclusion

In view of the amendments and remarks herein, it is believed that all the claims of this application are allowable and therefore this Application is in condition for allowance. A Notice to this effect is respectfully requested. If the Examiner believes, after this Response, that the Application is not in condition for allowance, the Examiner is respectfully requested to call the Applicant's Representative at the number below.

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Applicants hereby petitions for any extension of time which is required to maintain the pendency of this case. If there is a fee occasioned by this response, including an extension fee, please charge any deficiency to Deposit Account No. 50-3661.

If the enclosed papers or fees are considered incomplete, the Patent Office is respectfully requested to contact the undersigned collect at (508) 616-2900, in Westborough, Massachusetts.

Respectfully submitted,

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